

UNITED STATES OF AMERICA,)	CR No. 09-0989 MHP
)	
Plaintiff,)	
)	
v.)	ORDER GRANTING GOVERNMENT’S
)	MOTION FOR DETENTION
JOHN GIMBEL,)	
)	
Defendant.)	
)	

The government has not shown by a preponderance of the evidence that the defendant poses a risk of flight.

However, the government has demonstrated by clear and convincing evidence that the defendant poses a danger to the community and should not be released at this time. The defendant poses a clear danger to the community given his prior criminal history, his access to handguns, and his repeated and bizarre threats over several years to local, state and federal

officials. Therefore, the court finds that no combination of conditions exists that would sufficiently mitigate this danger.

The government's motion for detention is hereby GRANTED, and the court ORDERS that the defendant be remanded to the custody of the U.S. Marshal pending trial.

The court further ORDERS that a preliminary hearing / arraignment on an indictment shall be held before this court on Monday, October 19, 2009, at 1:00 p.m.

IT IS SO ORDERED.

Dated: October 19, 2009

